

at the will of the directors, as often as it becomes exhausted.

The committee appointed by the courts to examine the annual report of the commissioners for 1899, reviews at length section 2334 B. R. S., which provides:

"The commissioners of any county, shall first certify that the money required for the payment of such obligation or appropriation, is in the treasury to the credit of the fund for which it is to be drawn, or has been levied or placed on the duplicate and in process of collection, and not appropriated for any other purpose, which certificate shall be filed and immediately recorded, and the sums so certified shall not thereafter be considered unappropriated until the county - - - is fully discharged from the contract, agreement or obligation, or so long as the order or resolution is in force; and all contracts, agreements or obligations, and all orders or resolutions entered into or passed contrary to the provisions of this section, shall be void."

That committee said in effect that this law had been disregarded by the commissioners in the making of contracts. It was to be hoped that after their attention had been directed specifically to this statute, a change would be made, but no change followed. Every contract made by the board has been in open and defiant violation of this statute. Not one is enforceable in any court, or has any standing in law. The journal of the commissioners show that during the year 1899, forty-two (42) contracts were made involving the expenditure of money for bridges, culverts, arches, and abutments aggregating about Fifty Thousand Dollars (\$50,000.00). In no case has the auditor certified that the money is in the treasury as required by law. In no case has the certificate required by law been made or filed or recorded. Not a single contract has been presented to the auditor for such certificates. Although all these contracts are in law void, claims for their performance have been allowed by the commissioners, and in many cases the money has been paid to the contractors.

Your committee cannot gather from the records accurate information about the number and extent of outstanding contracts. The papers are not in the custody of the auditor, and in most cases we find that the awards of contracts are not entered on the journal until the claims for the completion of the work are to be allowed. The records show that in many cases large claims are allowed in settlement for contracts not entered on the journal, as required by section 878, Revised Statutes.

The amount realized for the fiscal year ending September 1st, 1899, from the tax levy for bridges, was Fifty-three Thousand One Hundred and Seven Dollars and Twenty-six Cents (\$53,107.26) subject to an overdraft, of

Six Thousand Four Hundred and Forty Dollars and Twenty-seven Cents (\$6,440.27). Seven Thousand Dollars, (7,000.00) were added by transfer from the building fund, making a total of Sixty Thousand One Hundred and Seven Dollars and Twenty-six Cents (\$60,107.26) available for bridges in the past year. On September 1st, 1899, this sum was exhausted, overdrafts to the amount of Ten Thousand Five Hundred and Forty-four Dollars and Ninety-three Cents (\$10,544.93) had been paid, and the journal of the commissioners show that other claims aggregating more than Thirty Thousand Dollars (\$30,000.00) had been allowed by the commissioners for payment out of this fund, which had not been presented for payment. When they are presented and paid the overdraft will be more than Forty Thousand Dollars (\$40,000.00). The entire levy for the current year is exhausted, and there will be no money legally available for bridge purposes until after February, 1901. Your committee cannot give the exact amount of these claims, for the reason that the records and files of the commissioners' office, do not disclose the cost of many jobs which are let.

The records do not show any verification of stone-work or bridge measurements by any county officer, before payment on stone or bridge contracts. It is recommended that the county surveyor be commissioned to measure and certify stone-work in all such contracts. The workhouse cost Twenty-eight Thousand Six Hundred and Twenty-three Dollars and Eighty-three Cents (\$28,623.83) during the past year, which expenditure is duly attested by the quarterly report of its directors and the commissioners report. In examining the vouchers your committee is impressed with the idea that both for the infirmity and workhouse, economy demands that supplies be furnished by contract, in bulk, after competitive bidding, rather than in the present retail way.

When bills are presented by dealers and contractors, for payment, they are rarely itemized so as to show weights, measures or prices, or amount of work done, or material furnished, as the case may be. Good business methods demand that this should be done.

A strict compliance with section 2334 will prevent overdrafts in all funds, and will obviate the payment of interest on deferred county orders. If contracts can be let only when money is in fund, and all other contracts are void, as this statute clearly declares, it follows that there can be no legal out-standing claims against the county (other than bonded indebtedness), and therefore none are entitled to bear interest, and no interest should be paid on warrants drawn on funds in which there is a deficit. This section should be strictly enforced, and if the commissioners continue to disregard it, the prosecuting attorney should proceed by injunction to prevent the execution of contracts entered into in violation thereof.

HENRY W. HOSSLER, J. WHITING, JR., ATLEE POMERENE, Prosecuting Attorney, Committee.

## BILL AFFECTING ELECTION BOARDS.

Will Make the Secretary of State the Whole Thing.

COUNTY BOARD IN POWER.

Of All Elections If the Plan Goes Through as Now Intended Salary Raised - Provisions of the Bill.

Special to News-Democrat. Columbus, Jan. 3.-Secretary of State Kinney has given out the bill which will be introduced next week in the house of representatives providing for a complete revision of the county election machinery of Ohio.

This bill is one of the most important to come before the legislature during the session now in progress. It is revolutionary to a measure, very apt to excite strong opposition. The secretary of state, in whose hands the bill is, intends to place in his hands the entire election board patronage of the state amounting to some 352 appointees beside the indirect appointment of board clerks, reaching eighty in all, and the booth officers, of which there are several thousand in the state for the 3,109 precincts.

Under the provisions of the act the secretary of state, who is mentioned in the bill as the state supervisor, will come into control, either through direct or indirect appointment, of about 12,000 election officers.

The effect of this bill will be felt most in the eighteen cities, where there are now two election boards in existence. These cities are as follows: Cincinnati, Cleveland, Columbus, Toledo, Dayton, Youngstown, Springfield, Akron, Canton, Zanesville, Sandusky, Newark, Mansfield, Steubenville, Findlay, Hamilton, Portsmouth, Chillicothe.

In every county the power of party and committee recommendation for appointment on the boards of election is taken away and the secretary of state made the beginning and the end of authority. The bill follows:

Section 1. Be it hereby enacted by the general assembly of the State of Ohio, that sections 3, 4 and 12 of an act entitled "An act to create a state supervisor of elections, with deputy state supervisors, for the conduct of elections in the state of Ohio," passed April 18, 1892 (89 O. L. 455), re-enacted and amended April 25, 1898 (93 O. L. 364 and 365) be amended so as to read as follows:

Section 3. On or before the first day of August, 1900, such state supervisor shall appoint a board of four deputy state supervisors for each county in this state, to be known as the board of deputy state supervisors, who shall be qualified electors of the county for which appointed. For the first appoint-

ment, two members thereof shall be appointed for a term of one, and two for a term of two years from the first day of August, 1900. One member so appointed for one year and one for two years shall be from the political party which cast the highest number of votes in the state at the last preceding November election for governor or secretary of state. The other two members shall be appointed from the political party which cast the next highest number of votes for such officer at said November election. Thereafter appointments shall be made annually for two deputy state supervisors for each county for the term of two years, which appointments shall be made from two political parties which cast the highest and next highest number of votes in the state at the last preceding November election for governor or secretary of state. All vacancies shall be filled and all appointments to new terms made from the political party to which the vacating or outgoing member belongs, unless there be a third political party which cast a greater number of votes in this state than did the party to which the retiring member belonged, at the next preceding November election, in which event the vacancy shall be filled from such third party.

Any deputy state supervisor may be removed by the state supervisor for misfeasance or malfeasance in office or other good and sufficient cause; and if, in filling vacancies, caused by removals, no person or persons belonging to the political party as the person or persons removed, can be induced to accept such appointment, then the vacancies can be filled by appointment from any other political party. Said boards of deputy state supervisors shall have all the powers, perform all the duties and be subject to all the provisions, penalties and requirements heretofore conferred and prescribed by law upon deputy state supervisors by said act of April 18, 1892, and the subsequent amendments thereof, and upon boards of election heretofore provided for the cities of the state by section 2926 of the revised statutes, and all other sections of the revised statutes providing powers, duties, restrictions and penalties upon said deputy supervisors and said boards of elections. And said boards of deputy state supervisors shall in all respects be considered and they are hereby created successors of said deputy state supervisors, and said boards of election, now existing, and said existing deputy state supervisors and said boards of elections are hereby abolished, provided, however, that the existing members of said boards of elections for said cities and the existing deputy state supervisors shall continue to serve as such officials, and perform their duties until their successors are appointed and qualified as herein provided. Each member of the board of deputy state supervisors by this act created, and the secretary, shall, before entering upon the discharge of their office, take and subscribe an oath to

support the constitution and laws of the United States and the State of Ohio and faithfully discharge the duties of their office and to make their utmost endeavors to secure fair and honest elections, which oath shall immediately be filed in the office of the clerk of the court of common pleas of such county and be preserved by him.

Section 4. The members of the board of deputy state supervisors for said counties shall meet within ten days after their appointment, at the usual places of meeting of their said predecessors, and organize by electing one of their number president by ballot, who shall serve as such for one year, and a resident elector of such county, other than a member of the board, as sec'y., who shall continue in office for two years. If they fail so to do after balloting for two hours after meeting the president and secretary shall be chosen by lot.

Section 12. Each member of the boards of deputy state supervisors appointed under this act, and the secretary, shall be allowed and paid a salary as follows:

In all counties containing under the federal census of 1890, and which may contain under any subsequent federal census, a population of 309,970, and more to each member and the secretary, the sum of \$1,500 per annum, payable quarterly. In all counties containing under the federal census of 1890, and which may contain under any subsequent federal census, a population of 100,852, and more, but less than 309,970, to each member and the secretary, the sum of \$1,000 per annum, payable quarterly. In all counties containing under the federal census of 1890, and which may contain under any subsequent federal census, a population of 34,170, and more, but less than 100,852, to each member and the secretary, the sum of \$800 per annum, payable quarterly. In all counties other than above designated, in any part of which under the existing law registration of electors is required, to each member and the secretary, the sum of \$200 per annum, payable quarterly. In all remaining counties of the state, and in which registration of electors is not required by law, to each member and secretary, the sum of \$100 per annum, payable quarterly.

Section 3. That this act shall take effect and be in force from and after its passage.

## HARTVILLE SWAMP.

Persistent Lake Township People Anxious For a Road to Be Established.

A petition was presented to the county commissioners, Friday, by Samuel Brumbaugh, of Lake township, asking for the establishing of a road through the Hartville swamp. The same road was up before the commissioners once before and was refused. The commissioners decided to appoint viewers and John F. Roth, of Canton; H. W. Hossler, of Plain township; and Moses Miller, of Marlboro, were selected to go over the route and report whether the road is necessary or not. With the county surveyor they will go over the place January 16.

## FULTON COMPANY

Applies For an Injunction to Protect the Output of Their Works.

A petition was filed in court Saturday in which the Fulton Tool and Manufacturing company sues for an injunction to stop the Fulton Tool works from doing business under their firm name and stamping their product with the trade mark "Fulton." The petition was filed by Baldwin & Shields and Musser & Kohler. The plaintiff says its goods have for years been made and stamped "Fulton" and sold as the product of the Fulton Tool works. In 1895 their bookkeeper, J. Edward Hammer, quit and with his father and brother started up making tools and stamping them with the word "Fulton." The plaintiff wants an injunction to stop this encroachment on their alleged rights.

## WOULD YOU BELIEVE

The Testimony of Outsiders Sooner Than the Evidence of Canton Citizens?

Read every item of your local papers. News notes, advertisements and market reports. Mark this very important fact. Don't forget it when compelled to buy. Tell your neighbor about it. That one-not two-but only one Of all the numerous remedies Put up for frail humanity Is backed by local testimony. Not Boston proof for Canton people. Not sales from distant, far-off towns. But Canton proof for Canton people. Doan's Kidney Pills in this respect. Exist unique-alone-none other can do it.

Mr. Oliver Whitmer, No. 627 S. Market street, Blacksmith, says: "For years I have been shoeing horses. I often get one that is hard to handle and I have been jerked and thrown about by them enough to have been killed a number of times but about the only injury of any note was a badly strained back that affected my kidneys. I was troubled in this way for three years or more. My kidneys became so weakened that regular spells would attack me and when they did I was in misery. When I read accounts of people being helped and cured by using Doan's Kidney Pills it struck me they might just be adapted to my case and I got a box of them at The Durbin, Wright Co.'s drug store. I used one and a half boxes and they did me so much good that I did not need it necessary to go any farther with them, so I gave the half box I had left to a friend who had kidney disease and advised him to take them. I can recommend them to anyone and feel sure they will do them good if taken as directed."

Doan's Kidney Pills for sale by all dealers. Price 50c per box or mailed on receipt of price by Foster-Milburn Co., Buffalo, N. Y., sole agents for the U. S. Remember the name, Doan's, and take no other.

## ACCOMMODATING COMMISSIONERS.

They Said Nothing About the Sheriff and His Bond.

PERMITTED HIM TO QUALIFY

Though They Could Have Appointed Another Man in His Place-Did Not File His Bond in Time.

Sheriff Zaiser is blithely moving along on his second term of office, having been duly sworn in this week. He is all right now for two years more. But if the county commissioners had been disposed to be critical they might have caused the sheriff quite a little annoyance before he was given charge of the office for the second term, and it is possible, though not probable, under such a contingency, that the commissioners might have concluded to override the will of the people and put in altogether another man. Such a proceeding has taken place in Paulding county and the sheriff elected and the sheriff appointed are now fighting it out in the courts to see which one is to stay in office and draw the salary.

The sheriff is an officer who serves by virtue of his election, under a commission issued to him by the governor of the state. Section 1203 of the statutes of Ohio says: "The sheriff and coroner shall, each, within ten days after receiving their commissions, and before the first Monday of January next after their election, give bond to the state, with two or more sureties approved by the county commissioners" etc., etc.

Section 1205 says: "If the sheriff or coroner fails to give bond within the time specified, then said commissioners shall declare the office of such sheriff or coroner vacant and said office shall thereupon be filled as provided by law."

Section 1208 says: When the office of sheriff becomes vacant the county commissioners shall appoint some suitable person to fill the vacancy."

Under this law and under the circumstances as they appear to exist if the county commissioners had so desired it is evident that they might have appointed some other man to run the office for the next two years.

Sheriff Zaiser got his commission all right from Governor Bushnell. The document was exhibited to a News-Democrat representative Friday afternoon. The commission was made out on November 24 and the sheriff says he received it about the first of December. Section 1205 would indicate that it was compulsory that within ten days thereafter the sheriff must give his bond and have it approved by the commissioners. And it must be done also before the first Monday of January. To be strictly technical the sheriff failed on both these points. His bond was filed with the commissioners last Tuesday morning, January 2. It was approved on Wednesday, January 3.

The sheriff had it all ready to file before that time and the only reason it was not filed was because the commissioners were not in session. But if they had been disposed to slip in quietly and declare the office vacant last Tuesday morning before the sheriff got around with his bond, it would have produced a situation decidedly embarrassing for Mr. Zaiser, to say the least.

Of course no one would suppose such a thing would be done by the commissioners and if they were going to make an appointment on the ground of the failure of the sheriff to conform strictly to the legal technicalities it is altogether probable that Mr. Zaiser would be the man selected. They evidently did not care to embarrass the sheriff by pointing out to him that in reality he holds his office by consent of the board. The fact, however, remains.

## COURT NOTES.

Actions Taken In Common Pleas Court By Parties Who Are at Loggerheads.

In the case of the Canton Brewing company against George Updegraff, for the replevin of some bar fixtures, which came to common pleas court from Justice Calmelet's docket on transcript. Attorney Piers for the Brewing company has filed a petition asking for the recovery of the goods and \$50 damages.

Attorney Spidle has filed a petition in common pleas court in the appeal case of Matthews Brothers vs. John S. McIntosh in which judgment is asked against the plaintiff for \$143 on a grocery bill.

William A. Pretzcker secured a judgment in a Massillon justice court against Anna M. Ertle for \$13.16. Joseph Ertle, Charles E. Spidle and Richard Edwards claim an interest in her property and Attorney Sterling for the plaintiff has filed a petition to marshal liens on the property so his client can get his judgment paid.

## Death of Mrs. Prendeville.

Mrs. Jane Prendeville, an aged woman residing at 912 Warner avenue, with her son and daughter, was found dead yesterday shortly after noon by her son. She was lying on the kitchen floor when found and life had apparently been extinct for some time. Coroner Schuffell was at once summoned and began an investigation into the cause of death, which was found to have been heart trouble. Mrs. Prendeville was a native of Ireland, about 79 years of age, had been a resident of Canton about 12 years and was greatly respected by the neighbors of the family. The funeral services will be held Monday morning at 9 o'clock at St. John's church and the interment in John's cemetery will follow.

## WINE OF CARDUI

Woman Knows Woman.

ZURICH, KAN., Jan. 3. I used Wine of Cardui for nervousness and weakness in the womb. After taking one bottle I was well again. I am a midwife and always recommend Wine of Cardui to my lady friends during pregnancy and after birth as a tonic. Every lady who takes it finds that it does even more than is claimed for it. MRS. V. M. BOISVERT.



Wine of Cardui

Nobody knows woman like woman. Men go to medical colleges, study books and listen to lectures. They learn indirectly of the diseases of women, but they are men and can never fully understand the ailments, the sufferings, the agonies of mothers, wives and sisters. A woman knows. Mrs. Boisvert knows. She has passed through the trials and tribulations of her sex. She has been near by when her sisters suffered. She has seen them relieved and cured with Wine of Cardui. Is it any wonder she recommends it? Is it any wonder that thousands of other women recommend it? They know. They have actual experience to prompt them. They spread the tidings from mouth to mouth, telling how Wine of Cardui helps young girls, helps the weak of all ages, helps and cures all womanly ills.

Druggists Sell Large Bottles for \$1.00.

## WINE OF CARDUI

## A RAZZLE DAZZLE IN

## THE BATH ROOM



You will feel like dancing when you see the new open plumbing, fine porcelain lined tub, washstand and closet that we have fitted it up with when we have been ordered to do so. Our work in fitting up private houses with open plumbing in bathroom, kitchen and pantry is of the highest order of excellence in scientific detail and expert workmanship.

I make connections for Natural Gas from curb line, carry a full line of Gas Stoves, Fixtures and Supplies

## L. B. HARTUNG

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WHEN IN DOUBT, TRY STRONG AGAIN! Sexine Pills. They have stood the test of years, and have cured thousands of cases of Nervous Diseases, such as Debility, Dizziness, Sleeplessness and Varicose, Atrophy, etc. They clear the brain, strengthen the circulation, make digestion perfect, and impart a healthy vigor to the whole being. All drains and losses are checked permanently. Unless patients are properly cured, their condition often worsens them into Insanity, Consumption or Death. Priced sealed. Price \$1 per box, 6 boxes, with iron-clad legal guarantee to cure or refund the money, \$5.00. Send for free book. Address, For sale only by E. J. Schlabach, Druggist and Bookkeeper, 225 N. Market St., Canton, O.

## PAINTING

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## Legal Notice.

Lyde Longstreet, who resides at Riverside, California, Mollie Baer, who resides at Foreston, Ill., Sue Bergderfer, Fred Bergderfer and Blanche Bergderfer, who reside at St. Joseph, Mo., Chas. Troxel, or his unknown heirs, whose residence is unknown, will take notice that Anson P. Jones, executor of the estate of the last will and testament of Elizabeth Jones, deceased, on the 21st day of June, 1897, filed his petition in the probate court, within and for the County of Stark and State of Ohio, alleging that the personal estate of said deceased is insufficient to pay her debts and the charges of administering her estate; that she died seized in simple fee of the following real estate situated in said county, to-wit:

Being part of lot No. 2455, in the City of Canton, described as follows: Commencing at the south west corner of said lot, thence running north along the west line of said lot, a distance of 90 feet, thence in an easterly direction and parallel to the south line of said lot, a distance of 25 feet, thence in a southerly direction and parallel to the west line of said lot, a distance of 90 feet, to the south line of said lot; thence westwardly in the south line of said lot, a distance of 25 feet to the place of beginning, together with the right of use of a private driveway or alley 20 feet in width at the north end of said described tract.

The prayer of said petition is for the sale of said premises for the payment of debts and charges aforesaid.

The persons first above mentioned will further take notice that they have been made parties' defendant to said petition, and that they are required to answer the same on or before the 29th day of January, 1900.

Canton, Ohio, December 9, 1899. ANSON P. JONES, Executor of the last will of Elizabeth Jones.

SEEMAN & SEEMAN, His Attorneys.

Published in Stark County Democrat six weeks, beginning December 12.

## Teachers' Examinations.

The Board of Examiners of Stark county will meet at Canton for the examination of applicants for Teachers' Certificates, on the FIRST Saturday of each of the following months: September, October and November, 1899. January, February, March, April, May, June and July, 1900. Examination of pupils under the Boxwell Law at Canton, on the THIRD Saturday of April and on the THIRD Saturday of May, 1900. All examinations begin promptly at 8:15 A. M. All work must be done with pen and ink. Examinations will be held in the Central High School building. J. A. SYLER, Clerk. New Berlin

## Shadow and Light

Blend most artistic play most festive scene when thrown by waxen candles. The light that heightens beauty's charm, that gives the finished touch to the drawing room or dining room, is the mellow glow of BANQUET WAX CANDLES. Sold in all colors and shades to harmonize with any interior hangings or decorations. Manufactured by STANDARD OIL CO. For sale everywhere.

## Real Estate at Private Sale.

## EIGHTY-ACRE FARM.

The Farm known as the GEORGE BETZ FARM,

Three miles east of the court house, on the state road, in Canton township, is offered at private sale. Possession given at any time.

For particulars inquire of Josiah Fink, administrator, Osnaburg, O. or on the farm.

Josiah Fink.